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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,160	10/02/2001	Scott S. Lawton	CTK-001.01 (21910-101)	9597

25181 7590 11/06/2003

FOLEY HOAG, LLP  
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EXAMINER

VEILLARD, JACQUES

ART UNIT PAPER NUMBER

2175

DATE MAILED: 11/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

19

# Office Action Summary

Application No.

09/970,160

Applicant(s)

LAWTON, SCOTT S.

Examiner

Jacques Veillard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 02 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. This action is responsive to the applicant's communication filed on 10/2/2001.
2. Claims 1-24 are pending and presented for examination.
3. Claims 1, 20, and 24 are the independent claims. Other claims are the dependent.

### ***Drawings***

4. The drawings filed on 10/2/2001 are objected by Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated on the attached Form PTO-948. Corrected drawings are required.

### ***Claim Objections***

5. Claim 1 is objected to because of the following informalities: the claim recites a (CSS), a (UD), and a (VUD) with the parenthesis is not appropriate in the claim language. Appropriate correction is required.

Claim 20 is objected to because of the following informalities: the claim as written should be in independent form, and the (ILM) with the parenthesis is not appropriate in the claim language. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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As per claims 1 and 11, the claim recites the phrase "if the control is selected, deselect it, otherwise select it". It is unclear for the examiner of what the applicant meant. The claim language is awkward.

As per claims 2-10, and 12-19, the claims suffer the same deficiency by dependency. Therefore, they are also rejected under 35 U.S.C. 112, second paragraph.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-15, 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical(U. S. Pat. No. 6,112,201).

As per claim 1, Wical teaches a virtual bookshelf system to provide a user a way to browse and locate information associated with a plurality of documents (See Title and abstract). Similarly, the bookshelf system as taught by Wical comprises a Category Selection System responsive to a User-input Device, displaying on a client process of a Visual Display Unit (See the abstract lines 3-17, col.2, 15-33, and col.9), lines 7-14), a plurality of category controls (Fig.1 component 110), each configured to be selected or deselected with a single user action, and without affecting whether or not the other category controls are selected (See Fig.1, and col.6, line 31 through col.7, line17); a plurality of category labels (See Fig.2e, element 300); a plurality of subgroup labels which identify a set of related category controls (See Fig.2c, element 390); a

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controller configured to: receive input from the UD associated with a single category control (See Fig.1, element 104, and col.col.6, lines 31-36), whereby a user can see at a glance which subgroups and categories are available and thus more quickly locate relevant categories, and whereby a user can see at a glance which categories are currently selected, making searches faster and easier (See Col.9, line 7 through col.10, line 35). Wical does not explicitly teach the system wherein if the control is selected, deselect it, otherwise select it.

However, Wical teaches a system suggesting a button bar contains a plurality of buttons labels (See Fig.2a, elements 225, 223, 235, 255, 240, and 250) wherein the action functions are invoked by clicking the corresponding action button with an input device such as a mouse to select or deselect the interested categories.

It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention was made to modify the teachings of Wical by incorporating the use of configuring a category control by deselecting a category with a single user action by a clicking device such as a mouse.

As per claim 24, the claim has substantially the same limitations as claim 1. These limitations have already been addressed in the rejection of claim 1. Therefore, it is rejected on similar grounds corresponding to the arguments given above for rejected claim 1.

As per claim 2, Wical teaches the claimed invention limitation, wherein the single action is a click on a mouse button, a tap on a trackpad or equivalent action (See col.10, lines 41-43).

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As per claim 3, Wical teaches the claimed invention limitation, wherein the single action is a key press such as on the space bar or enter key (See col.10, lines 36-41).

As per claim 4, Wical teaches the claimed invention limitation, wherein every individual category control is visible when the entire CSS is visible (See Figs. 2a-2e, and col.11, line 18 through col.12, line58).

As per claim 5, Wical teaches the claimed invention limitation, wherein each category label is adjacent to the associated category control (See Figs.2c-2e).

As per claim 6, Wical teaches the claimed invention limitation, wherein each category label is within the bounds of the associated category control (See Figs.2c-2e).

As per claims 7 and 8, Wical teaches the claimed invention limitation, wherein the subgroups indicated by the subgroup labels are arranged in a horizontal fashion as a single row, with each subgroup occupying a single column (See Fig.1, reference tables 150) “ Wical teaches a reference tables to display the contains of the categories in a horizontal fashion as a single row, with each subgroup occupying a single column See Figs.2c-2e).

As per claim 9, Wical teaches the claimed invention limitation, wherein each category control is a checkbox (See col.10, lines 26-28, col.17, lines 46-59, and col.19, line 62 through col.20, line 6).

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As per claim 10, Wical teaches the claimed invention limitation, wherein each category control is a button with a selected state and an unselected state(See col.13, lines 9-16).

As per claim 11, 12, and 13, Wical teaches a system, further including a subgroup control for each subgroup (See col.10, lines 36-40), and wherein the controller is further configured to: receive input from the UD associated with a single subgroup control (See Fig.1, element 104, and col.col.6, lines 31-36). Wical does not explicitly teach a wherein if the subgroup control is selected, deselect it, otherwise select it.

Wical teaches a system suggesting a button bar contains a plurality of buttons labels (See Fig.2a, elements 225, 223, 235, 255, 240, and 250) wherein the action functions are invoked by clicking the corresponding action button with an input device such as a mouse to select or deselect the interested categories.

It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention was made to modify the teachings of Wical by incorporating the use of configuring a category control by deselecting (or unselecting) a category with a single user action by a clicking device such as a mouse.

As per claim 14, Wical teaches the claimed invention limitation, further including sub-subgroup labels which identify a set of related subgroups (See Figs.2c-2e, 7b, 7c, 8b, and 9a-9b).

As per claim 15, Wical teaches the claimed invention limitation, further including: a category input port (See Fig.1) configured to receive a list of category labels organized by

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subgroup, and a selector construction mechanism configured to create the labeled category controls organized by subgroup from the list of category labels (See col.5, line 66 through col6, line 64, and Figs.2c-2e).

As per claim 19, Wical teaches a virtual bookshelf system cataloged to include the classification information such as science, technology, education, business, economics, government, military and social environment. Those categories information correspond to category labels employment information (See col.14, lines 41-55).

9. Claims 16-18, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U. S. Pat. No. 6,112,201) in view of Fruensgaard et al.(U. S. Pat. No. 6,513,036, hereinafter Fruensgaard).

As per claim 20, Wical teaches a virtual bookshelf system to provide a user a way to browse and locate information associated with a plurality of documents similar to claim 1 (See Title and abstract). Wical does not teach a search system containing a plurality of objects wherein an information location being configured to receive search criteria in a predetermined syntax, search the data repository, and retrieve zero or more data objects that conform to the search criteria; a formatting engine to format the search results from the ILM; and a client process and VDU to display the search form, the formatted search results and the action trigger.

Fruensgaard teaches a method and apparatus for searching and presenting search result from one or more information sources (See the title and the abstract) configured to receive search criteria in a predetermined syntax (See col.10, lines 39-54), search the data repository (See col1,



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lines 14-23), and retrieve zero or more data objects that conform to the search criteria (See col.1, lines 32-36); a formatting engine to format the search results from the ILM (See col.12, lines 19-40); and a client process and VDU to display the search form, the formatted search results and the action trigger(See col.13, lines 47-49).

It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention was made to modify the teachings of Wical by the teachings of Fruensgaard to include a search system as taught by Fruensgaard in order to enable a user to perform a search for electronic information from one or more information sources and enabling a representation of relations between different types of information and different users.

As per claims 16 and 21, the combination of Wical and Fruensgaard, as modified, teaches the claimed limitations, wherein the category controls employ a markup language including HTML, XML and/or SGML(See Fruensgaard's col.16, lines 22-24, lines 37-39).

As per claim 17, the combination of Wical and Fruensgaard, as modified, teaches the claimed limitations, wherein the category controls employ a portable document format (See Wical's col.10, lines 25-27, " Wical suggests an format in order for a user to select categories")..

As per claim 18, the combination of Wical and Fruensgaard, as modified, teaches the claimed limitations, wherein the category controls employ script and/or program code (See Fruensgaard's col.7, lines 22-25, and col.22, lines 13-16).

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As per claim 22, the combination of Wical and Fruensgaard, as modified, teaches the claimed limitations, herein the contents of at least one data element of at least one data object include employment information (See Wical's col.14, lines 41-55).

As per claim 23, the combination of Wical and Fruensgaard, as modified, teaches the claimed limitations, further including: a sort port configured to receive sort criteria; an Information Sorting Mechanism (ISM) coupled between the ILM and the formatting engine; the ISM being configured to receive the sort criteria in a predetermined syntax, receive a plurality of data objects from the ILM, sort the data objects according to the sort criteria, and forward the sorted data objects to the formatting engine (See Fruensgaard's col.11, lines 20-34, and col.12, lines 9-40).

***Other Prior Art Made of Record***

- |     |                |                               |
|-----|----------------|-------------------------------|
| 10. | Jacobi et al.  | U. S. Pat. No. 6,064,980,     |
|     | Brelis et al.  | U. S. pat. No. 6,544,040,     |
|     | Yagasaki       | U. S. Pat. No. 6,125,353,     |
|     | Husick et al.  | U. S. Pat. No. 5,717,914,     |
|     | Swanson        | U. S. Pat. No. 5,603,034,     |
|     | Cochran et al. | U. S. Pat. No. 4,879,648, and |
|     | Casey et al.   | U. S. Pat. No. 5,371,848.     |

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**12. Any response to this action should be mail to:**

Commissioner of Patent and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703) 746-7239 (for formal communication intended for entry)

**Or:**

(703) 746-7240 ( for informal of draft communications, please label

“PROPOSED” or “DRAFT”)

Hand - delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington. VA, Fourth Floor Lobby (Receptionist Telephone No. (703) 305-3900).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The examiner can normally be reached Monday through Friday from 9:30 AM to 4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on ( 703) 305-3830. The fax phone number for this group is (703) 308-5403.

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*Charles Rones*  
**CHARLES RONES**  
**PRIMARY EXAMINER**

*Jacques Veillard*

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Jacques Veillard  
Patent Examiner TC 2100

October 27, 2003